

**State of California, State Water Resources Control Board**

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://www.waterrights.ca.gov>

S000519

**2006, 2007, 2008**

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM**

**Owner(s) of Record:**

ANITA J MERLO

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2009

**Primary Contact:**

ANITA J MERLO  
165 W CLEVELAND ST  
STOCKTON, CA 95204

**Agent:**

Address:

Phone No. 209-465-9022

Fax No.

E-mail Address:

Phone No.

Fax No.

E-mail Address:

**Source Name:** NOYES VALLEY CREEK

**Tributary To:** East Fork Scott River

**County:** Siskiyou

**Diversion within:** NE 1/4 of NW 1/4 Section 23, T 41 N, R 8 W, MDB&M

**Year of First Use:** 1880

**Name of Diversion works:**

**Assessor Parcel Number of the Diversion site:**

2009 JUN - 1 AM 11:46  
 DIV OF WATER RIGHTS  
 SACRAMENTO  
 STATE WATER RESOURCES  
 CONTROL BOARD

A. **Water is Used Under:** Riparian claim \_\_\_ Pre-1914 claim \_\_\_ Court Decree No.: \_\_\_ Other (explain): \_\_\_

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) \_\_\_

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:  
 Gallons per minute (gpm) \_\_\_ Gallons per day (gpd) \_\_\_ Cubic feet per second (cfs) \_\_\_

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2006			X	X	X	X	X	X	X	X	X		
2007			X	X	X	X	X	X	X	X	X		
2008			X	X	X	X	X	X	X	X	X		

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:  
 Gallons \_\_\_ Million Gallons (MG) \_\_\_ Acre-feet (AF) \_\_\_

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2006													
2007													
2008													

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 295 +/- acres; Stockwatering 350; Domestic none- domestic on well  
 Other (specify) \_\_\_\_\_

Parcel Number(s) of Place of Use: \_\_\_\_\_

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.  
 (New pump, enlarged diversion dam, location of diversion, etc.) No Changes

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES X NO \_\_\_  
 Describe any water conservation efforts you have initiated: \_\_\_\_\_

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:  
 Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO X
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO \_\_\_\_\_
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: May 15, 20 09 at Stockton, California

SIGNATURE: Anita J Merlo

PRINTED NAME: Anita J. Merlo  
(first name) (middle initial) (last name)

COMPANY NAME: \_\_\_\_\_

ITEM CONTINUATION  
If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA  
There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



S000519XSX2005

2003, 2004, 2005

2005 MAY -3 PM 2:09

DIVISION OF WATER RIGHTS  
SACRAMENTO

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: ANITA J MERLO;

**PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:**

ANITA J MERLO  
165 W CLEVELAND ST  
STOCKTON, CA 95204

STATEMENT NO.: S000519  
CONTACT PHONE NO.: (209) 465-9022

Source Name: NOYES VALLEY CREEK

Tributary To: EAST FORK SCOTT RIVER

County: Siskiyou

Year of First Use: 1880

Diversion Within: NE1/4 of NW1/4 Section 23, T41N, R08W, MB&M

Parcel Number:

A. Water is Used Under: Riparian claim \_\_\_\_\_ Pre-1914 right \_\_\_\_\_ Other (explain): \_\_\_\_\_

B. Year of First Use: (Please provide if missing above) \_\_\_\_\_

C. Amount of Use: Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons			Million Gallons (MG)				Acre-feet (AF)			Other			Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2003			X	X	X	X	X	X	X	X	X		
2004			X	X	X	X	X	X	X	X	X		
2005			X	X	X	X	X	X	X	X	X		

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 295 +/- acres; Stockwatering 350; Domestic None - domestic on well

Other (specify) \_\_\_\_\_

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.)

No Changes

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES X NO \_\_\_\_  
Describe any water conservation efforts you have initiated: \_\_\_\_\_

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_ NO \_\_\_\_

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree, which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO X
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO \_\_\_\_\_
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: May 1, 20 06 at Stockton, California

SIGNATURE: Anita J. Merlo

PRINTED NAME: Anita J. Merlo  
(first name) (middle initial) (last name)

COMPANY NAME: \_\_\_\_\_

If there is insufficient space for your answers, please use the space provided below.

ITEM

CONTINUATION


GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1997

OWNER OF RECORD: ~~EDWARD C MERLO~~ Anita J. Merlo

~~EDWARD C MERLO~~ Anita J. Merlo  
P O BOX 627  
WOODBIDGE, CA 95258

STATEMENT NO: S000519



SOURCE: NOYES VALLEY CREEK  
TRIBUTARY TO: EAST FORK SCOTT RIVER  
COUNTY: SISKIYOU  
DIVERSION

TELEPHONE NUMBER:  
(209) 465-9022

YEAR OF FIRST USE: 1880  
PARCEL NO:

WITHIN: NE¼ OF NW¼ SECTION 23, T41N, R8W, MB&M.

- A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right X; Other (explain): \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1994			X	X	X	X	X	X	DRY	YEAR			
1995			X	X	X	X	X	X	X	X	X		
1996			X	X	X	X	X	X	X	X	X		

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation 295 +/- acres; Stockwatering 350; Domestic None - domestic on well  
Other (specify) \_\_\_\_\_

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
NO CHANGES

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.  
N/A

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 27, 19 97 at Stockton, California

SIGNATURE: Anita J Merlo

PRINTED NAME: Anita J. Merlo  
(FIRST NAME) (MIDDLE INIT.) (LAST NAME)

COMPANY NAME: \_\_\_\_\_

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by a riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

### "Statements of Water Diversion and Use"

**"Information Pertaining to Water Rights in California"**

**"Water Rights for Stockponds Constructed Prior to 1969"**

## "Appropriation of Water in California"

5-519  
\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S000519  
OWNER OF RECORD: EDWARD C MERLO

EDWARD C MERLO  
P O BOX 627  
WOODBIDGE, CA 95258

STATE WATER RESOURCES  
CONTROL BOARD  
DIV. OF WATER RIGHTS  
SACRAMENTO  
1995 JUL -5 AM 10:38

SOURCE: NOYES VALLEY CREEK  
TRIBUTARY TO: EAST FORK SCOTT RIVER  
COUNTY: SISKIYOU  
DIVERSION

WITHIN: NE¼ OF NW¼ SECTION 23, T41N, R8W, MDB&M.

TELEPHONE NUMBER:

(209) 465-9022

YEAR OF FIRST USE: 1880

PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995.

A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right X; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992		VERY	LITTLE	WATER	IN NOYES	VALLEY	-	NOT	EVEN	ENOUGH	STOCK	WATER	
1993			X	X	X	X	X	X	X	X	X		
1994			X	X	X	X	X	X	DRY	YEAR	AGAIN		

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 50+/- in 1993, 94 acres; Stockwatering 350 \_\_\_\_\_; Domestic none-domestic on well

Other (specify) Normally we irrigate 295 acres, however, in 1992 there was very little water due to continuing drought.

\*\*\* CONTINUE ON BACK PAGE \*\*\*

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NO CHANGES

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

NOT APPLICABLE

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6-29, 19 95, at Woodbridge, California

SIGNATURE: Anita J Merlo

PRINTED NAME: Anita J. Merlo  
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: \_\_\_\_\_

### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"



STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. Box 2000  
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE  
INFORMATION SHEET

STATEMENT NO. S000519

DIVERSION SITE:

OWNER'S NAME Anita J. Merlo  
(FIRST) (MIDDLE) (LAST)

PARCEL NO. Within NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  Section 23, T41N, R08W, MDB & M.

PLACE OF USE:

OWNER'S NAME \_\_\_\_\_  
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. See Back for attached list

2. PARCEL NO. \_\_\_\_\_

3. PARCEL NO. \_\_\_\_\_

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL  
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER \_\_\_\_\_

NAME Anita J. Merlo  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS P.O. Box 627  
Woodbridge CA 95258  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (209) 465 - 9022

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME \_\_\_\_\_  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS \_\_\_\_\_  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

2. NAME \_\_\_\_\_  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS \_\_\_\_\_  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

XX ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR  
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL  
INFORMATION BOX.

1. SE of Sec 11, T41, R8W, MDB&M
2. Sec 14, T41, R8W, MDB&M
3. W  $\frac{1}{2}$  of Sec 23, T41 R8W, MDB&M
4. W  $\frac{1}{4}$  of Sec 26, T41, R8W, MDB&M
5. SE of Sec 27, T41, R8W, MDB&M
6. E  $\frac{1}{2}$  of Sec 34, T41, R8W, MDB&M



S000519%\$%2002  
2000, 2001, 2002

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by September 1, 2003. 2003 AUG 20 PM 10:44

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: ANITA J MERLO;

STATE WATER RESOURCES CONTROL BOARD  
SACRAMENTO

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

**ANITA J MERLO**  
**165 W CLEVELAND ST**  
**STOCKTON, CA 95204**

STATEMENT NO.: S000519  
CONTACT PHONE NO.: (209)465-9022

FOR ONLINE REPORTING AT  
[www.waterrights.ca.gov](http://www.waterrights.ca.gov)

USER NAME: S000519  
PASSWORD: D23916

Source Name: NOYES VALLEY CREEK  
Tributary To: EAST FORK SCOTT RIVER  
County: Siskiyou  
Diversion Within: NE1/4 of NW1/4 Section 23, T41N, R08W, MB&M

Year of First Use: 1880  
Parcel Number:

- A. Water is used under: Riparian claim \_\_\_\_\_ Pre 1914 right \_\_\_\_\_ Other (explain): \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Amounts below are: Gallons _____ Acre-feet _____ Other _____													Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2000			X	X	X	X	X	X	X	X	X		
2001			X	X	X	X	X	X	X	X	X		
2002			X	X	X	X	X	X	X	X	X		

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation 295+/- acres; Stockwatering 350; Domestic None - Domestic on well  
Other (specify) \_\_\_\_\_
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
No Changes
- F. Please answer only those questions below which are applicable to your project.
1. Conservation of water
- a. Are you now employing water conservation efforts? YES X NO \_\_\_\_\_  
Describe any water conservation efforts you have initiated: \_\_\_\_\_
- b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:
- Reductions in Diversions:  
yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)
- Reductions in consumptive use:  
yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)
- I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO X
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to wastewater reclamation. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO \_\_\_\_\_
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: August 13, 2003 at Stockton, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: Anita J. Merlo

(first name)

(middle init.)

(last name)

COMPANY NAME: \_\_\_\_\_

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION


GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

*"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"*

State of California  
State Water Resources Control Board  
DIVISION OF WATER RIGHTS  
P.O. Box 2000, Sacramento, CA 95812-2000  
Info: (916) 657-2170, FAX: (916) 657-1485, Web: <http://www.waterrights.ca.gov>

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

**PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 2000**

**OWNER OF RECORD:** ANITA J MERLO

ANITA J MERLO  
165 WEST CLEVELAND ST  
STOCKTON, CA 95204

**STATEMENT NO:** S000519



**SOURCE:** NOYES VALLEY CREEK  
**TRIBUTARY TO:** EAST FORK SCOTT RIVER  
**COUNTY:** SISKIYOU  
**DIVERSION**

**TELEPHONE NUMBER:**

(209) 465-9022

**YEAR OF FIRST USE:** 1880

**PARCEL NO:**

**WITHIN:** NE¼ OF NW¼ SECTION 23, T41N, R8W, MB&M.

- A. **Water is used under:** Riparian claim \_\_\_\_\_ Pre 1914 right \_\_\_\_\_ Other (explain); \_\_\_\_\_
- B. **Year of first use** (Please provide if missing above) \_\_\_\_\_
- C. **Amount of Use** - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:													Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
1997			X	X	X	X	X	X	X	X	X		
1998			X	X	X	X	X	X	X	X	X		
1999			X	X	X	X	X	X	X	X	X		

- D. **Purpose of Use** - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 295 +/- acres; Stockwatering 350; Domestic None - domestic on well

Other (specify) \_\_\_\_\_

- E. **Changes in Method of Diversion** - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

No Changes

- F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Are you now employing water conservation efforts? YES X NO \_\_\_\_  
Describe any water conservation efforts you have initiated: \_\_\_\_\_

- b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

Reductions in consumptive use:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_ NO \_\_\_\_

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO X \_\_\_\_\_
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to wastewater reclamation. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO \_\_\_\_\_
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6/28/00, 20 \_\_\_\_\_ at Stockton, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: Anita J. Merlo  
(first name) (middle init.) (last name)

COMPANY NAME: \_\_\_\_\_

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION


GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

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STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 000519

EDWARD C MERLO  
P O BOX 627  
WOODBRIDGE, CA 95258

TELEPHONE NUMBER:  
(209) 465-9022

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: NOYES VALLEY CREEK

TRIBUTARY TO: EAST FORK SLOTT RIVER

COUNTY: SISKIYOU

YEAR OF FIRST USE: 1880

DIVERSION

WITHIN: NE1/4 OF NW1/4 SECTION 23, T41N, R08W, MDK&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right ☒ \_\_\_\_\_; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991	Very little water in Noyes Valley, not even enough stock water. Had to												
1992	install wells for stock water due to continuing drought.												
1993	More normal year, were able to irrigate 50+ acres.												

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation 50+ only in 1993 acres; Stockwatering 350 head \* \_\_\_\_\_; Domestic None - domestic on well  
Other (specify) \_\_\_\_\_ \* not adequate 1992, 1993

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
We ran out of stock water in 1991 and had to dig wells and install solar  
system for stock water. 1993 more water was available in Noyes Valley  
Creek.

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: March 8, 19 93, at Woodbridge, California

Signature: Edward C Merlo

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"



STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
901 P ST. SACRAMENTO, CA 95814  
(916) 322-4503

STATE WATER RIGHTS  
(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1991 FEB -1 11:43

DIVERTER OF RECORD:

EDWARD C MERLO  
P O BOX 627  
WOODBIDGE, CA 95258

DIV. OF WATER RIGHTS  
SACRAMENTO

STATEMENT NO: 000519

TELEPHONE NUMBER:  
(209) 465-9022

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: NOYES VALLEY CREEK

TRIBUTARY TO: EAST FORK SCOTT RIVER

COUNTY: SISKIYOU

DIVERSION

WITHIN: NE1/4 OF NW1/4 SECTION 23, T41N, R08W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts ☐ Gallons  
below are: ☐ Acre-feet  
☐ \_\_\_\_\_ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988	Very little water in Noyes Valley Creek due to drought.												
1989	Even Less water due to drought.												
1990	Not even enough water for stock water this year.												

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation Normally we irrigate 295 acres. Due to drought, no irrigation in 1988 1989 or 1990 due to drought.

Stockwatering About 425 head of cattle 1988 and 1989. 1990 we ran low on stock water and had to reduce our cattle numbers.

Domestic \_\_\_\_\_

Other (specify) \_\_\_\_\_

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

No changes made - no water to divert other than stock water ponds 1990 Noyes Valley Creek did not run any time of year.

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

Not Applicable.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: January 29, 19 91, at Woodbridge, California

Signature:

Edward C Merlo  
Edward C. Merlo

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

ATTACHMENT FOR STATE WATER RESOURCES CONTROL BOARD  
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE  
To be filed by 7-1-87 for 1984, 85, and 86.

Statement No. 0150519 - NW1/4 of SW1/4 Section 24, T13N, R17W,  
MDB&M and

Statement No. 0150520 - SW1/4 [should be SE1/4] of SW1/4 Section  
24, T13N, R17W,  
MDB&M

RE:

Item B. Purpose of Use

The ranch has a total land area of 505 acres and in addition we rent approximately 486 acres. Over the past three years 1984, 1985, and 1986, we have irrigated approximately 300 acres each year, and have had stockwatering for our dairy herd which varies from 350-500 head. This is done under our riparian rights and our appropriative rights License #7517 on Brush Creek and License #7518 on Lagoon Lake in a commingled system.

Although these are two separate drainage basins and the ranch occurs in both basins, for purposes of efficiency we currently operate these as a single irrigation system drawing from these two sources. It is difficult to distinguish between the waters of Brush Creek and Lagoon Lake or between the waters diverted under riparian rights or appropriative rights.

In addition, we exercise riparian rights on rented lands. When the flow in Brush Creek will allow and there is need for irrigation of crops or permanent pasture, we exercise Lombardi riparian rights.

Item D. Not applicable.

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RIGHTS BOARD

S 519

STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water E. Merlo and Son Hereford Ranch  
Address Gasella, California

B. Name of body of water at point of diversion Moyes Valley Creek  
Tributary to Scott River  
NE 1/4 of Section 34

C. Place of diversion Ed 1/4 1/4 Section 23 Township 41N, Range 8W, N. 1/4, District 24, Siskiyou  
County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works \_\_\_\_\_

E. Capacity of diversion works \_\_\_\_\_  
Capacity of storage reservoir \_\_\_\_\_ cubic feet per second  
State quantity of water used each month in gallons or acre-feet \_\_\_\_\_ gallons per minute  
acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
			X	X	X	X	X	X					

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc. Approx 75 to 150 Acres irrigated depending on the amount of water available.

Maximum annual water use in recent years \_\_\_\_\_ gallons  
Minimum annual water use in recent years \_\_\_\_\_ gallons  
Type of diversion facility: gravity ☒, pump \_\_\_\_\_  
Method of measurement: weir \_\_\_\_\_, flume \_\_\_\_\_, electric power meter \_\_\_\_\_, water meter \_\_\_\_\_, estimate ☒

F. Purpose of use (what water is being used for) Irrigation of hay and pastureland.

G. General description or location of place of use (use sketch of section grid on reverse side if you desire) Moyes Valley (Merlo Property) see map on reverse

H. Year of first use as nearly as known 1880 - Copy of original Water Right enclosed.

I. Name of person filing statement Owner - Edward C. Merlo  
Position Owner Organization \_\_\_\_\_  
Address Gasella, California

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.  
Date signed 5 April 63 Signature Edward C. Merlo

See Instructions on Reverse Side